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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/663,665	09/15/2000	Gregory L. Slaughter	5181-47300	2188

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EXAMINER

ZHEN, LI B

ART UNIT	PAPER NUMBER
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2194

DATE MAILED: 05/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/663,665

Applicant(s)

SLAUGHTER ET AL.

Examiner

Li B. Zhen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 November 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-53 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-53 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 September 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2/05:8/6/01:8/13/01</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1 – 53 are pending in the current application.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: fig. 21. Examiner was unable to locate a description of figure 21 in the specification as filed. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

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4. Claims 1 – 21 are rejected under 35 U.S.C. 101 because they are directed to non-statutory subject matter.

5. Claims 1 – 21 are directed to method steps which can be practiced mentally in conjunction with pen and paper, therefore they are directed to non-statutory subject matter. Specifically, as claimed, it is uncertain what performs each of the claimed method steps. Moreover, each of the claimed steps, inter alia, generating, deleting, providing, determining, and storing, can be practiced mentally in conjunctions with pen and paper. The claimed steps do not define a machine or computer implemented process [see MPEP 2106]. Therefore, the claimed invention is directed to non-statutory subject matter. (The examiner suggests applicant to change “method” to “computer implemented methods” in the preamble to overcome the outstanding 35 U.S.C. 101 rejection).

6. Claims 43 – 53 are non-statutory because it is not tangibly embodied.

7. Claims 43 – 53 recites "a carrier medium" (line 1) and the specification discloses the carrier medium as including transmission signals conveyed via a wireless link (p. 184, lines 17 – 23). Transmission signals are incapable of being touched or perceived absent the tangible medium through which they are conveyed; therefore, claims 43 – 55 are non-statutory.

Allowable Subject Matter

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8. Claim 53 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 101, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Response to Arguments

9. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. **Claims 1, 2, 6 – 9, 22, 23, 27, 30, 31 and 43 – 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/0035645 to Tuatini in view of U.S. Patent No. 5,321,841 to East et al. [hereinafter referred to as East].**

12. As to claim 1, Tuatini teaches the invention substantially as claim including a method for the exchange of objects in a distributed computing environment [p. 3, paragraph (0047)], comprising:

user accessing a client device [application framework receives requests for services from client computers(e.g., customer computers); p. 2, paragraph (0043)]; and generating a computer programming language object [serialization service in one embodiment provides a generic mechanism for converting XML data into a Java object and vice versa; p. 10, paragraphs (0079) - (0082)] from a data representation language representation [XML data; p. 10, paragraph (0079)] of the object [convert XML data to Java object and vice versa; p. 10, paragraph (0079)], wherein the object is an instance of a class in the computer programming language [Java object; p. 10, paragraph (0079)], and wherein the object is accessible for use during the accessing the client device [serialization service deserializes the configuration file into a Java object that is used by the application components; p. 11, paragraph (0086)].

13. Although Tuatini teaches the invention substantially as claimed, Tuatini does not teach deleting the computer programming language object in response to the terminating access.

However, East teaches a distributed object system with an authentication protocol [access control list 472 may optionally be provided if use of the new object type is to be restricted to a defined set of authorized users; col. 16, line 66 - col. 17, line 2] and deleting a computer programming language object in response to the terminating access so that the deleted object is not accessible by subsequent users of the client device [Shutdown field 428 points to a shutdown procedure 438. The shutdown procedure 438 is called once when an object type is permanently removed from the

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system, generally at system shutdown time. The purpose of this routine is to perform object type-specific shutdown operations; col. 15, lines 60 – 68].

14. It would have been obvious to a person of ordinary skill in the art at the time of the invention to apply the teaching of deleting the computer programming language object in response to the terminating access as taught by East to the invention of Tuatini because this would prevent unauthorized access to the object and deallocates the storage for the object after the user has finished accessing the object [col. 15, lines 49 – 60 of East].

15. As to claim 2, Tuatini as modified teaches receiving a message in the data representation language from a service device in the distributed computing environment prior to the generating a computer programming language object [p. 10, paragraph (0083) of Tuatini], wherein the message includes the data representation language representation of the object [p. 10, paragraph (0079) of Tuatini].

16. As to claim 6, Tuatini as modified teaches generating a computer programming language object from a data representation language representation of the object is performed by a virtual machine executing within the client device [p. 10, paragraph (0079) of Tuatini; examiner notes that a virtual machine is inherent to the Java environment].

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17. As to claim 7, Tuatini as modified teaches generating a plurality of computer programming language objects from data representation language representations of the objects [converting XML data into a Java object and vice versa; p. 10, paragraphs (0079) - (0082) of Tuatini], and deleting the plurality of computer programming language objects in response to the terminating access [col. 15, lines 60 – 68 of East].

18. As to claim 8, Tuatini as modified teaches the data representation language is extensible Markup Language (XML) [XML data; p. 10, paragraphs (0079) - (0082) of Tuatini].

19. As to claim 9, Tuatini as modified teaches the computer programming language is the Java programming language [Java objects; p. 10, paragraphs (0079) - (0082) of Tuatini].

20. As to claims 22 and 23, these are apparatus claims that correspond to method claims 1 and 2; note the rejections to claims 1 and 2 above, which also meet these apparatus claims.

21. As to claim 27, this is rejected for the same reason as claim 7 above.

22. As to claims 30 and 31, they are rejected for the same reasons as claims 8 and 9 above.

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23. As to claims 43 and 44, these are product claims that correspond to method claims 1 and 2; note the rejections to claims 1 and 2 above, which also meet this product claim.

24. As to claim 45, this is rejected for the same reason as claim 7 above.

25. As to claim 46, this is rejected for the same reasons as claims 8 and 9 above.

26. **Claims 3 – 5, 10 – 21, 24 – 26, 28, 29, 32 – 42 and 47 – 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tuatini and East in view of U.S. Patent No. 5,774,551 to Wu [cited in previous office action].**

27. As to claim 3, Tuatini as modified does not teach accessing a client device by coupling an identification device to the client and terminating access by decoupling the identification device from the client device.

However, Wu teaches accessing a client device comprises the user coupling an identification device to the client device [authentication services 109 may include password or encrypted key based mechanisms such as...hardware/firmware based mechanisms, such as smart-card; col. 15, lines 54 – 65], wherein the identification device provides identification information of the user to the client device [the encrypted authentication tokens may be stored in a smart card, or other non-public storage facility;

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col. 10, lines 37 – 65], and wherein the termination the accessing comprises decoupling the identification device from the client device [system entry service 107 initiates a disconnect process, and handles the necessary physical disconnection and protocols for disconnecting from the system 100, Fig. 5; col. 19, line 57 – col. 20, line 9].

28. It would have been obvious to a person of ordinarily skilled in the art at the time of the invention to apply the teaching of accessing a client device by coupling an identification device to the client and terminating access by decoupling the identification device from the client device as taught by Wu to the invention of Tuatini as modified because this allows any system entry service to be used transparently with any combination of account, password, session, or authentication services, including multiple instances of a given type of account management service and provides supports for unified login and logout with multiple authentication services [col. 6, lines 15 – 26 of Wu].

29. As to claim 4, Tuatini as modified teaches the identification device is a smart card [the encrypted authentication tokens may be stored in a smart card, or other non-public storage facility; col. 10, lines 37 – 65 of Wu].

30. As to claim 5, Tuatini as modified teaches the accessing a client device comprises the user logging on to the client device [Unified login is accomplished through a authentication token mapping process; col. 3, lines 55 – 67 of Wu] by providing user identification to the client device [the encrypted authentication tokens

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may be stored in a smart card, or other non-public storage facility; col. 10, lines 37 – 65 of Wu], and wherein the terminating the accessing comprises the user logging off the client device [user logouts 501 of the system entry service 107, either explicitly by invoking a specific method of the system entry service 107, or implicitly by shutting off the workstation or terminal the user is working on; col. 19, line 57 – col. 20, line 9 of Wu].

31. As to claim 10, Tuatini as modified teaches a method for the secure exchange of objects in a distributed computing environment [p. 3, paragraph (0047) of Tuatini], comprising:

a user accessing a client device [p. 2, paragraph (0043) of Tuatini];

the client device receiving a message in a data representation language from a service device in the distributed computing environment [p. 10, paragraph (0083) of Tuatini], wherein the message includes a data representation language representation of an object [p. 10, paragraph (0079) of Tuatini];

if the determining, determines the user has access rights to the computer programming language object [Only users 944 who have this special identifier in their ID list 946 are allowed to generate new privileged operation objects; col. 27, lines 25 – 41 of East], generating the object [serialization service in one embodiment provides a generic mechanism for converting XML data into a Java object and vice versa; p. 10, paragraphs (0079) - (0082) of Tuatini] from the data representation language representation [XML data; p. 10, paragraph (0079) of Tuatini] of the object [convert XML

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data to Java object and vice versa; p. 10, paragraph (0079) of Tuatini], wherein the object is an instance of a class in the computer programming language [Java object; p. 10, paragraph (0079) of Tuatini], and wherein the object is accessible for use during the accessing the client device [serialization service deserializes the configuration file into a Java object that is used by the application components; p. 11, paragraph (0086) of Tuatini]; and

if the determining determines the user does not have access rights to the computer programming language object, not generating the object [ACL mechanism for Privileged Operation Object OTD prevents the proliferation of privileged operation objects that might otherwise be created by unauthorized users; col. 27, lines 25 – 41 of East].

32. As to claim 11, Tuatini as modified teaches the message further includes access information for the computer programming language object, wherein the determining if the user has access rights to the computer programming language object uses the access information [Whenever a program references an object by its object ID, the access rights of the user are compared with the access control information in the object; col. 22, line 65 - col. 23, line 5 of East].

33. As to claim 12, Tuatini as modified teaches deleting the computer programming language object in response to the user terminating access to the client device, wherein

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the deleted object is not accessible for use by subsequent users of the client device
[col. 15, lines 60 – 68 of East].

34. As to claims 13 – 15, they are rejected for the same reasons as claims 3 – 5 above.

35. As to claim 16, Tuatini as modified teaches the user terminating the accessing the client device and storing the computer programming language object in response to the terminating access [When the action handler completes performance of its business logic, it stores 609 the response message in the action response object and stores 610 the view in the action response object; p. 3 – 4, paragraph (0051) of Tuatini].

36. As to claim 17, Tuatini as modified teaches the user accessing the client device subsequent to the storing the object and accessing the stored object during the accessing the client device [p. 2, paragraph (0043) of Tuatini].

37. As to claim 18, Tuatini as modified teaches storing access rights information of the user with the object, wherein the accessing the stored object comprises verifying the access rights of the user with the stored access rights information [Whenever a program references an object by its object ID, the access rights of the user are compared with the access control information in the object; col. 22, line 65 - col. 23, line 5 of East].

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38. As to claims 19 – 21, they are rejected for the same reasons as claims 6, 8 and 9 above.

39. As to claims 24 and 25, these are apparatus claims that correspond to method claims 3 and 4; note the rejections to claims 3 and 4 above, which also meet these apparatus claims.

40. As to claim 26, Tuatini as modified teaches the device is further configured to accept user input [col. 3, lines 50 – 68 of East] to initiate the terminating the user access [unified logout process ensures that the user's authentication token and credentials are removed; col. 19, line 57 – col. 20, line 8 of Wu].

41. As to claim 28, Tuatini as modified teaches a processor [computer system; p. 2, paragraph (0043) of Tuatini], a memory [col. 3, lines 52 – 68 of East], and a virtual machine executed by the processor from the memory, wherein the generating is performed by the virtual machine [p. 10, paragraph (0079) of Tuatini; examiner notes that a virtual machine is inherent to the Java environment].

42. As to claim 29, Tuatini as modified teaches the accepting, the terminating, and the deleting are performed by the virtual machine [p. 10, paragraph (0079) of Tuatini], wherein the object is stored in the memory subsequent to the generating, and wherein, in the deleting, the object is deleted from the memory [col. 15, lines 60 – 68 of East].

43. As to claims 32 – 36, these are system claims that correspond to method claims 10 – 14; note the rejections to claims 10 – 14 above, which also meet these system claims.

44. As to claim 37, Tuatini as modified teaches a memory [col. 3, lines 52 – 68 of East], accept user input [col. 3, lines 50 – 68 of East] to terminate the access of the client device [col. 19, line 57 – col. 20, line 8 of Wu], and store the computer programming language object to the memory in response to the terminating access [p. 3 – 4, paragraph (0051) of Tuatini].

45. As to claims 38 – 40, they are rejected for the same reasons as claims 17, 18 and 28 above.

46. As to claims 41 and 42, they are rejected for the same reasons as claims 8 and 9 above.

47. As to claims 47 – 50, these are product claims that correspond to method claims 10 – 13; note the rejections to claims 10 – 13 above, which also meet these product claims.

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48. As to claims 51 and 52, these are rejected for the same reasons as claims 16 – 18 above.

Conclusion

49. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Li B. Zhen whose telephone number is (571) 272-3768.

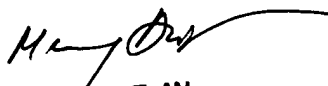
The examiner can normally be reached on Mon - Fri, 8:30am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Li B. Zhen
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